

PATENT

Attorney Docket No. 10587.0367-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Scott K. BROWN) Group Art Unit: 2445
Application No.: 10/697,804) Examiner: Jeffrey R. SWEARINGEN
Filed: October 31, 2003)
For: MANAGING ACCESS TO DIGITAL) Confirmation No.: 1159
CONTENT SOURCES)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT WITH TRAVERSE

In a restriction requirement dated May 20, 2011, the Examiner required restriction under 35 U.S.C. § 121 between Group I, including claims 1-36; and Group II, including claims 38-45. Applicant provisionally elects to prosecute Group I, including claims 1-36, with traverse.

Applicant's election of Group I is made with traverse for the following reasons.

Applicant respectfully submits that the restriction should be withdrawn because the premise that Groups I and II are related as "subcombinations" and "independent" or "distinct" is based upon a mischaracterization of the claims. In particular, both groups of claims are classifiable in class 709, subclass 226. The assertion that Group II is classifiable in class 709, subclass 238 is in error, because class 709, subclass 238 is related to the concept of routing packets. Moreover, the restriction requirement fails to draw any nexus between this class 709, subclass 238 and the claims of Group II.